2015-013645Klamath County, Oregon



12/21/2015 01:36:23 PM

Fee: \$57.00

After recording return to:

Michael L. Spencer

Lis Pendens Cover Sheet & Party Addresses

Reference number of the documents:

15CV34102

Plaintiffs:

Investusa Holding Enterprises, LLC

Defendants:

Klamath Falls Partners, LLC

Name and Address of All Parties:

Investusa Holding Enterprises, LLC POI Box 18445 Encino, CA 91416

Klamath Falls Partners LLC 270 Saint Paul Street, Suite 300 Denver, CO 80206

Occupants of the Property

None

1	
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3	
4	
5	IN THE CIRCUIT COURT OF THE STATE OF OREGON
6	FOR THE COUNTY OF KLAMATH
7	INVESTUSA HOLDING ENTERPRISES, LLC,) a California Limited Liability Company,) Case No. 15CV34102
8	Plaintiff,
9	vs.
10	KLAMATH FALLS PARTNERS, LLC, a Colorado Limited Liability Company,
11	
12	NOTICE IS HEREBY GIVEN that the above named Plaintiffs have commenced an action against the above named Defendants in the Circuit Court of Klamath County by filing a Complaint; this is notice of pendency of that action. The names of the parties to the action are set forth above. The object of the action is
13	to require Defendant to specifically perform a contract to sell the property described in Exhibit "A" to Plaintiff The description of the real property affected by the action is as follows:
14	See attached Exhibit "A"
15	All persons dealing with the real estate subsequent to the recording of this lis pendens will take
16	subject to Plaintiffs' rights as established in the action.
17	Dated this 21 th day of December, 2015.
18	Michael L. Spencer, OSB #83090 Of Attorneys for Plaintiffs
19	CTLATE OF ORDIGON
20	STATE OF OREGON)
21	County of Klamath) This instrument was acknowledge before me on December 21, 2015 by Michael L. Spencer.
22	\mathcal{L} , \mathcal{L}
23	OFFICIAL SEAL Notary Public for Oregon
24	LYNDA WEST NOTARY PUBLIC – OREGON COMMISSION NO. 475463 MY COMMISSION EXPIRES FEBRUARY 10, 2017
	Michael I Spencer OSR #83000

Michael L. Spencer, OSB #83090 403 Main St. Klamath Falls, OR 97601 541-891-9426 FAX 541-203-7495 mlslaw@live.com

EXHIBIT "A"

DESCRIPTION OF THE PROPERTY

Real property in the City of Klamath, County of Klamath, State of Oregon, described as follows:

PARCEL 1:

LOTS 3, 4, 10, 16, 17, 19, 22, 23, 31, 33-37, 39-44, 46-51, 53, 55-60, 62-64, 67, 68, 71, 73, 77-79, 81, 84, 85, 87-94, 105, 107 AND 108 OF TRACT 1472, RIDGEWATER SUBDIVISION, PHASE 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Together With private roads known as Juniper Mountain Way and Bryant Butte Loop as shown on the recorded plat of Tract 1472 Ridgewater Subdivision, Phase 1.

ALSO TOGETHER WITH an easement for public utility and incidental purposes recorded January 26, 2007 in Volume 2007 Page 001435, Records of Klamath County, Oregon.

PARCEL 2:

LOTS 115-133, 140, 141, 144-152, 173-176, 182-184, 188, 191, 192, 199-202, 224-227, 229-240, 242-247, 249, 251, 252, 254-278, 280, 281 AND COMMON AREAS B, C, E AND F OF TRACT 1496, RIDGEWATER SUBDIVISION, PHASE 1, 1ST ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Together With private road known as Bailey Mountain Road as shown on the recorded plat of Tract 1496 Ridgewater Subdivision, Phase 1, 1st Addition.

ALSO TOGETHER WITH an easement for public utility and incidental purposes recorded January 26, 2007 in Volume 2007 Page 001436, Records of Klamath County, Oregon.

PARCEL 1 OF LAND PARTITION 39-10, BEING A RE-PLAT OF LOTS 153 THROUGH 172 OF TRACT 1496, RIDGEWATER SUBDIVISION, PHASE 1, 1ST ADDITION, SITUATED IN THE NW 1/4 OF SECTION 36, TOWNSHIP 38 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

PARCEL 1 OF LAND PARTITION 38-10 BEING A RE-PLAT OF LOTS 203 THROUGH 223 OF TRACT 1496, RIDGEWATER SUBDIVISION, PHASE 1, 1ST ADDITION, SITUATED IN THE NE 1/4 OF SECTION 35, TOWNSHIP SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

PARCEL 3:

LOTS 1-19 OF TRACT 1507 BEING A REPLAT OF LOTS 109-114, 134-136, 142, 143 and 193-198, COMMON AREA A AND COMMON AREA D OF TRACT 1496, RIDGEWATER SUBDIVISION, PHASE 1, 1ST ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PARCEL 4: (THE TIMBERS, PHASE 1)

LOTS 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 34 AND COMMON AREA A OF TRACT 1506, THE TIMBERS, PHASE 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

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PARCEL 5: (FUTURE DEVELOPMENT RW)

IN TOWNSHIP 38 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

SECTION 26: THE SOUTHEAST QUARTER, SOUTH HALF NORTHEAST QUARTER, NORTHWEST QUARTER NORTHEAST QUARTER

SECTION 35: ALL THAT PORTION OF SECTION 35 LYING NORTHEASTERLY OF HIGHWAY 140

EXCEPTING THEREFROM TRACT 1472, RIDGEWATER SUBDIVISION, PHASE 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

ALSO EXCEPTING THEREFROM TRACT 1496, RIDGEWATER SUBDIVISION, PHASE 1, 1ST ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PARCEL 6: (FOREST LAND)

PARCELS 2 AND 3 OF LAND PARTITION 16-11, BEING A REPLAT OF PARCEL 3 OF MINOR LAND PARTITION NO. 81-34 LOCATED IN THE SW 1/4 OF SECTION 15, SECTION 22, THE SW 1/4 OF SECTION 23, THE NW 1/4 & SW 1/4 OF SECTION 26, AND THE NE 1/4 OF SECTION 27, TOWNSHIP 38 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

TOGETHER WITH an easement for access and incidental purposes, 30 feet in width, as shown on said Land Partition 16-11, Detail B.

ALSO TOGETHER WITH an easement for access and incidental purposes recorded January 19, 2012 in 2012-491, Records of Klamath County, Oregon.

PARCEL 7: (FUTURE DEVELOPMENT RW)

IN TOWNSHIP 38 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON

SECTION 25: SOUTH HALF SOUTHWEST QUARTER, NORTHWEST QUARTER SOUTHWEST QUARTER, SOUTHWEST QUARTER NORTHWEST QUARTER, THAT PORTION OF THE SOUTHEAST NORTHWEST AND NORTHEAST SOUTHWEST LYING SOUTHERLY AND WESTERLY OF LAKESHORE GARDEN SUBDIVISION.

SECTION 36: NORTHWEST QUARTER AND THAT PORTION SOUTHWEST QUARTER LYING NORTHEASTERLY OF HIGHWAY 140.

EXCEPTING THEREFROM TRACT 1472, RIDGEWATER SUBDIVISION, PHASE 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

ALSO EXCEPTING THEREFROM TRACT 1496, RIDGEWATER SUBDIVISION PHASE 1, 1ST ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK, KLAMATH COUNTY, OREGON.